

In Re:
James Michael McCloy
Emily Anne McCloy
1466 Bern Drive
Spring Hill, TN 37174
xxx-xx-3087; xxx-xx-4822
Debtor(s)

BK: 16-07013-RM3-13

The Deadline for Filing a Timely Response Is: 12/27/16
If a Response Is Timely Filed, the Hearing Will Be: 1/11/17
Time: 9:00 a.m., Federal Building and Courthouse, 815 S Garden Street, Columbia, TN 38401

NOTICE OF MOTION TO APPROVE LOAN MODIFICATION

James Michael McCloy and Emily Anne McCloy has asked the court for the following relief: To Approve Loan Modification

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion, by entering the attached order, or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the Court your response or objection explaining your position. Please Note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>.
If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at : 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 P.M.)
2. **Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.**

If a timely response is filed before the the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** you may check whether a timely response has been filed by viewing the case on the court's website at <<https://ecf.tnmb.uscourts.gov>>.

If you or your attorney does not take these steps, the court may decide that you do no oppose the relief sought in the motion and may entered the attached order signed granting that relief.

Date: December 6, 2016

/s/ J. Robert Harlan
J. Robert Harlan - BPR No. 010466
Harlan, Slocum & Quillen
Attorney for the Debtor
39 Public Square
PO Box 949
Columbia, TN 38402-0949
Phone - 931/381-0660
Fax - 931/381-7627
bknotices@robertharlan.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

In Re:

James Michael McCloy

Emily Anne McCloy

Debtor(s)

BK: 16-07013-RM3-13

CERTIFICATE OF COMPLIANCE

I, J. Robert Harlan, do certify that I have complied with the noticing requirement of Local Bankruptcy Rule 9013-1 by mailing, a copy of the attached document pertaining to James Michael McCloy and Emily Anne McCloy, the subject action to all creditors and any parties in interest, by Electronic Case Noticing to the Chapter 13 Trustee, Henry E. Hildebrand, III and the U.S. Trustee December 6, 2016.

/s/ J. ROBERT HARLAN

J. ROBERT HARLAN - BPR No. 010466

Harlan, Slocum & Quillen

Attorney for the Debtor

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No. of copies: 71

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

In Re:

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1466 Bern Drive
Spring Hill, TN 37174
xxx-xx-3087; xxx-xx-4822
Debtor(s)

BK: 16-07013-RM3-13

MOTION TO APPROVE LOAN MODIFICATION

Come the Debtors through counsel and would move the Court for an Order Approving the Loan Modification between the Debtor and PennyMac Loan Services, LLC and the Secretary of Housing and Urban Development (hereinafter “PennyMac”). For cause, the Debtor would submit the following:

1. The parties entered into an agreement by which the loan secured by the Debtor’s principal residence is modified as follows:
 - a. The Debtor has obtained a loan modification through the Secretary of Housing and Urban Development whereby a partial claim of \$16,744.09 has been created.
 - b. The partial claim shall accrue no interest.
 - c. The Debtors are not required to make payments on this partial claim until the maturity date of July 1, 2043, or if earlier when the first of the following events occurs:
 - i. Borrower has paid in full all amounts due under the primary Note and related mortgage, Deed of Trust or similar Security Instruments insured by the Secretary, or

- ii. The maturity date of the primary Note has been accelerated, or
 - iii. The primary Note and related mortgage, deed of trust or similar Security Instrument are no longer insured by the Secretary, or
 - iv. The property is not occupied by the purchaser as his or her principal residence.
- d. The Debtors' mortgage account with PennyMac is deemed current through September 2016.
2. The ongoing payment amount shall be **\$1,323.31** (\$915.93 Principal and Interest + \$407.38 escrow) with the first regular ongoing payment to begin October 1, 2016. The ongoing monthly payment is subject to adjust due to changes in the required escrow payment. All changes in the payment occurring during the Debtor's active Chapter 13 bankruptcy case will be noticed to the court and all parties through timely Notices of Payment Change.
3. The Debtor's Chapter 13 plan shall be modified as there is no pre-petition arrearage claim and the Trustee shall cease payments on all pre-petition arrearage claims to PennyMac.

/s/ J. ROBERT HARLAN
J. ROBERT HARLAN BPR NO. 010466
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Phone - 931/381-0660

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bob@robertharlan.com

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have mailed a true and exact copy of the foregoing to James Michael McCloy and Emily Anne McCloy, and to all creditors and any parties in interest, sent by Electronic Case Noticing to the Chapter 13 Trustee, Henry E. Hildebrand, III and to the U.S. Trustee's Office December 6, 2016.

/s/ J. ROBERT HARLAN
J. ROBERT HARLAN - BPR No. 010466
Harlan, Slocum & Quillen

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

In Re:
James Michael McCloy
Emily Anne McCloy
Debtor(s)

BK: 16-07013-RM3-13

ORDER TO APPROVE LOAN MODIFICATION

This order is submitted to the Court by the debtor through counsel for the purpose of approving the Loan Modification by and between the Debtor and PennyMac Loan Services, LLC and the Secretary of Housing and Urban Development (hereinafter “PennyMac”). A motion was filed and notice was provided to all creditors pursuant to Local Bankruptcy Rule 9013 and no timely objection was raised. The Court finds the motion should be approved.

IT IS, THEREFORE, ORDERED, the Loan Modification is approved as follows:

1. The parties entered into an agreement by which the loan secured by the Debtor’s principal residence is modified as follows:
 - a. The Debtor has obtained a loan modification through the Secretary of Housing and Urban Development whereby a partial claim of \$16,744.09 has been created.
 - b. The partial claim shall accrue no interest.
 - c. The Debtors are not required to make payments on this partial claim until the maturity date of July 1, 2043, or if earlier when the first of the following events occurs:

DRAFT

- i. Borrower has paid in full all amounts due under the primary Note and related mortgage, Deed of Trust or similar Security Instruments insured by the Secretary, or
 - ii. The maturity date of the primary Note has been accelerated, or
 - iii. The primary Note and related mortgage, deed of trust or similar Security Instrument are no longer insured by the Secretary, or
 - iv. The property is not occupied by the purchaser as his or her principal residence.
- d. The Debtors' mortgage account with PennyMac is deemed current through September 2016.
2. The ongoing payment amount shall be **\$1,323.31** (\$915.93 Principal and Interest + \$407.38 escrow) with the first regular ongoing payment to begin October 1, 2016. The ongoing monthly payment is subject to adjust due to changes in the required escrow payment. All changes in the payment occurring during the Debtor's active Chapter 13 bankruptcy case will be noticed to the court and all parties through timely Notices of Payment Change.
3. The Debtor's Chapter 13 plan shall be modified as there is no pre-petition arrearage claim and the Trustee shall cease payments on all pre-petition arrearage claims to PennyMac.

IT IS SO ORDERED.

This order was signed and entered electronically as indicated at the top of the first page

Approved for Entry:

/s/ J. Robert Harlan

J. ROBERT HARLAN BPR NO. 010466

Harlan, Slocum & Quillen

Attorney for the Debtor

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PO Box 949

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ADVANCE FINANCIAL
4821 MAIN STREET
SPRING HILL TN 37174

AES/ CIT ED
PO BOX 2461
HARRISBURG PA 17105

AFFILIATED CREDITORS
176 THOMPSON LANE
NASHVILLE TN 37211

AFNI
404 BROCK DR
PO BOX 3097
BLOOMINGTON IL 61702

AMAZON.COM
P.O. BOX 15298
WILMINGTON DE 19850-5298

AMERICAN EXPRESS
ATTN: CUSTOMER SERVICE
PO BOX 297812
FORT LAUDERDALE FL 33329-7812

AMERICAN FAMILY CARE
PO BOX 935
BIRMINGHAM AL 35201-0935

ARS NATIONAL SERVICES, INC
PO BOX 463023
ESCONDIDO CA 92046-3023

ASSET RECOVERY SOLUTIONS
2200 E DEVON AVE STE 200
DES PLAINES IL 60018

AUTOMATED COLLECTION SERVICE
P.O. BOX 17423
NASHVILLE TN 37217

BETH YORK
1032 MCKENNA DRIVE
THOMPSONS STATION TN 37179

CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

CENTENNIAL MEDICAL CENTER
PO BOX 290429
NASHVILLE TN 37229-0429

CENTRAL CREDIT SERVICES
PO BOX 15118
JACKSONVILLE FL 32239-5118

CENTRAL LOAN ADMIN & REPORTING
425 PHILLIPS BLVD
EWING NJ 08618

CHASE
PO BOX 15298
WILMINGTON DE 19850

CHILDRENS PLACE/CITICORP CREDIT SERVICES
PO BOX 20507
KANSAS CITY MO 64195

CLIENT SERVICES
3451 HARRY S TRUMAN BLVD
SAINT CHARLES MO 63301-3236

CONCENTRA URGENT CARE-TN
PO BOX 1848
ADDISON TX 75001

COOL SPRINGS IMAGING
PO BOX 415000
NASHVILLE TN 37241

DISH NETWORK
ATTN: BANKRUPTCY DEPT
PO BOX 6633
ENGLEWOOD CO 80112

EMERGITRUST
PO BOX 3330
CLARKSVILLE TN 37043

FARROW PEDIATRIC DENTISTRY
4720 TRADERS WAY #300
THOMPSONS STATION TN 37179

FINANCIAL DATA SYSTEMS
ATTN: MANAGING OFFICER/AGENT 1638 MILITA
WILMINGTON NC 28403

FOX COLLECTION CENTER
PO BOX 528
GOODLETTSVILLE TN 37070-0528

FRANKLIN DERMATOLOGY GROUP
740 COOL SPRINGS BLVD.
SUITE 200
FRANKLIN TN 37067

GHERTNER & COMPANY
50 VANTAGE WAY STE 100
NASHVILLE TN 37228

GM FLEXIBLE EARNINGS CARD
PO BOX 80082
SALINAS CA 93912-0082

KOHL'S
PO BOX 3043
MILWAUKEE WI 53201

KUMPARISON, LLC
COMPAREINSURANCEQUOTES.COM
32045 CASTLE COURT, STE 202
EVERGREEN CO 80439

LABCORP
P.O. BOX 2240
BURLINGTON NC 27216-2240

MEDICREDIT CORP
3620 I 70 DR SE, STE C
COLUMBIA MO 65201

MERCHANTS & MEDICAL
6324 TAYLOR DR
FLINT MI 48507

MIDDLE TENNESSEE VASCULAR ASSOCIATES
808 HATCHER LANE
COLUMBIA TN 38401

MRS
1930 OLNEY AVENUE
CHERRY HILL NJ 08003

NATHAN & NATHAN
PO BOX 1715
BIRMINGHAM AL 35201

NATIONSTAR MORGAGE, LLC
ATTN: BANKRUPTCY DEPT
PO BOX 619096
DALLAS TX 75261-9741

NATIONWIDE CREDIT
4700 VESTAL PARKWAY EAST
VESTAL NY 13850-3770

NAVIENT
ATTN: CLAIMS DEPT
PO BOX 9500
WILKES-BARR PA 18773

NELNET LOANS
NELNET CLAIMS
PO BOX 82505
LINCOLN NE 68501

NEWPORT VALLEY TOWNHOMES
C/O HOMETOWN PROPERTY MANAGEMENT
PO BOX 2000
SPRING HILL TN 37174

NORTHLAND GROUP
PO BOX 390846
MAIL CODE CPV1
EDINA MN 55439

NPAS, INC.
PO BOX 99400
LOUISVILLE KY 40269

PATHOLOGY ASSOCIATES OF ST. THOMAS
4220 HARDING PIKE
NASHVILLE TN 37205-2005

PEDIATRIC DENTAL CARE
128 HOLIDAY CT STE 102
FRANKLIN TN 37067

PENNYMAC LOAN SERVICES
PO BOX 514357
LOS ANGELES CA 90051

PREMIERE CREDIT
PO BOX 24850
NASHVILLE TN 37202

QUEST DIAGNOSTICS
PO BOX 740777
CINCINNATI OH 45274-0777

RAB INC
P.O.. BOX 1022
WIXOM MI 48393-1022

RECEIVABLE SOLUTION SPECIALISTS, INC
PO BOX 669
NATCHEZ MS 39121

RECOVERY MANAGEMENT SYSTEMS CORP
GE MONEY BANK/DBA SAMS CLUB
25 SE 2ND AVE. STE. 1120
MIAMI FL 33131

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RICHARDSON TX 75085

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RUBIN LUBLIN TN, PLLC
119 S. MAIN STREET, SUITE 500
MEMPHIS TN 38103

SANTANDER
PO BOX 660633
DALLAS TX 75266

SATURN PARKWAY EMERGENCY PHYSICIANS
PO BOX 37908
PHILADELPHIA PA 19101

SUNTRUST
655 WEST BROADWAY
SAN DIEGO CA 92101

SUNTRUST
PO BOX 305183
NASHVILLE TN 37230

SYNCHRONY BANK
ATTN: BANKRUPTCY DEPARTMENT
PO BOX 965061
ORLANDO FL 32896-5061

SYNCHRONY BANK
%RECOVERY MANAGEMENT SYSTEMS CORP.
25 SE 2ND AVE. SUITE 1120
MIAMI FL 33131-1605

SYNCHRONY BANK/LOWES
ATTN: BANKRUPTCY DEPT
PO BOX 965060
ORLANDO FL 32896

SYNCHRONY BANK/PAL PAL
PO BX 965060
ORLANDO FL 32896-5060

THE BUREAU'S INC
650 DUNDEE RD
SUITE 370
NORTHBROOK IL 60062

TLC MEDICAL OXYGEN & EQUIPMENT
2500 CAYER LN STE F
COLUMBIA TN 38401-7382

UNITED RECOVERY SYSTEMS
5800 NORTH COURSE DR
HOUSTON TX 77072

US BANK RMS CC
205 W 4TH STREET
CINCINNATI OH 45202

VANDERBILT UNIVERSITY MEDICAL CENTER
719 THOMPSON LANE, STE 30860
NASHVILLE TN 37204

WALK IN CLINIC - VANDERBILT HEALTH
719 THOMPSON LANE STE 30619
NASHVILLE TN 37204

WILLIAMSON MEDICAL CENTER
4321 CAROTHERS PARKWAY
FRANKLIN TN 37067

WILLIAMSON MEDICAL GROUP
42323 CAROTHERS PKWY STE 505
FRANKLIN TN 37067

WILSON & ASSOCIATES
CREEKSIDE CROSSING III
8 CADILLAC DRIVE, STE 120
BRENTWOOD TN 37027